

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

**FILED**

FEB 27 2008

CLERK, U.S. DISTRICT COURT  
By \_\_\_\_\_  
Deputy

DENNY LEE CAIN,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

2:07-CV-0175

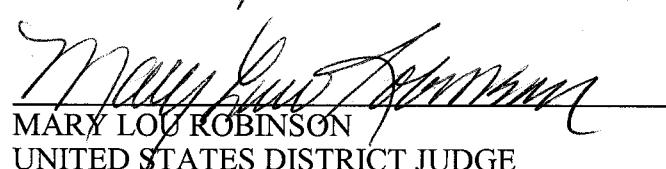
**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION,**  
**and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Came for consideration the federal habeas corpus application filed by petitioner DENNY LEE CAIN. On February 12, 2008, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed as time barred. Petitioner filed objections to the Magistrate Judge's Report and Recommendation on February 22, 2008.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED, the Magistrate Judge's Report and Recommendation is hereby ADOPTED and the petition for a writ of habeas corpus is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 17<sup>th</sup> day of February 2008.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE